

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS
BENTON DIVISION

IN RE:)	In proceedings under
)	Chapter 13
LAURA STUCKER,)	
)	Bk. No. 08-41743
Debtor(s).)	

AMENDED TRUSTEE'S MOTION FOR RULE TO SHOW CAUSE FOR FAILURE
TO SUBMIT TAX REFUND AND FAILURE TO SUBMIT TAX RETURN,
AND REQUEST FOR HEARING

COMES NOW Bob Kearney, Chapter 13 Trustee, and for his Motion for Rule to Show Cause for Failure to Submit Tax Refund and Tax Return and Request for Hearing, states as follows:

1. The Order Confirming debtors' Chapter 13 plan requires the submission of tax returns to the Trustee each year while the case is pending; specifically, the returns are to be presented to the Trustee by June 15 of each year.
2. Despite communications by the Trustee to the debtor(s) requesting the 2009 tax returns, said tax returns (federal and/or state) have not been received by the Trustee.
3. Additionally, the Order Confirming debtor's plan requires the submission of certain sums from tax refund annually, also payable by June 15 of each year.
4. The Trustee has made request of debtor to submit \$1,684.00 from his 2008 tax refund, but to no avail.
5. The debtor(s) should show cause why they should not be held in contempt of this Court for failure to comply with the terms of the Confirmation Order.
6. If the debtor(s) comply with the Confirmation Order at least three business days prior to the hearing on this matter, the trustee will withdraw this motion.

WHEREFORE, the Trustee prays this Court for a hearing on the matters raised herein.

/s/ Bob Kearney, Trustee
Chapter 13 Trustee

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document was mailed to the following interested parties who have not been electronically notified:

Laura Stucker
1321 West Maple
Herrin, IL. 62948

On October 19, 2010, with the correct postage prepaid and deposited in the U.S. Mail in Benton, IL.

/s/ Meindy Foreman